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6 Attorneys for Scott Wheeler

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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

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12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 vs.
15 SCOTT WHEELER,
16 Defendant.

2:13-cr-00084-APG-PAL

UNOPPOSED MOTION TO WITHDRAW
THE MOTION TO SUPPRESS (CR # 34)
WITHOUT PREJUDICE

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18 COMES NOW the defendant, Scott Wheeler, by and through his counsel of record, Rachel
19 Korenblat, Assistant Federal Public Defender, and files this Unopposed Motion to Withdraw his
20 Motion to Suppress Physical Evidence and Statements Due to an Impermissible Stop, Search and
21 Seizure (CR # 34) without prejudice. This pleading is based upon the attached Memorandum of
22 Points and Authorities and all of the papers and pleadings on file herein.

23 DATED this 20th day of May, 2014.

24 RENE L. VALLADARES
Federal Public Defender

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26 By: /s/ Rachel Korenblat
RACHEL KORENBLAT
27 Assistant Federal Public Defender
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POINTS AND AUTHORITIES

On September 9, 2013, counsel for Mr. Wheeler filed a Motion to Suppress Physical Evidence and Statements Due to an Impermissible Stop, Search and Seizure. (CR # 34.) The Court granted several stipulations to extend the hearing date for the motion to accommodate motion practice regarding several subpoenas, for the defense to serve the subpoenas, for the subpoena recipients to produce response documents and other items, and to review the responses. (CR ## 44, 50, 56, 63.) The evidentiary hearing is currently scheduled for June 3, 2014. (CR # 68.)

On May 19, 2014, Mr. Wheeler signed a plea agreement offered to him by the government. The parties are in the process of scheduling a date for Mr. Wheeler to plead guilty pursuant to the plea agreement. No date has been set yet. Because Mr. Wheeler intends to plead guilty, he moves to withdraw his motion to suppress, which would also vacate the June 3, 2014 hearing date. If Mr. Wheeler does not ultimately enter a guilty plea or the Court does not accept his guilty plea, then the parties will file a stipulation to reset the dates for him to refile his suppression motion.

DATED this 20th day of May, 2014.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

By: /s/ Rachel Korenblat
RACHEL KORENBLAT
Assistant Federal Public Defender

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SCOTT WHEELER,
Defendant.

2:13-cr-00084-APG-PAL

**ORDER ON THE UNOPPOSED
MOTION TO WITHDRAW THE
MOTION TO SUPPRESS (CR # 34)
WITHOUT PREJUDICE**

Based on the Unopposed Motion to Withdraw the Motion to Suppress Physical Evidence and Statements Due to an Impermissible Stop, Search and Seizure (CR # 34) (the "Motion") and good cause appearing therefore,

IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Motion is hereby GRANTED, and the Motion to Suppress (CR # 34) is withdrawn without prejudice.

DATED this 27th day of May, 2014.


UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that I am an employee of the Law Offices of the Federal Public Defender for the District of Nevada and am a person of such age and discretion as to be competent to serve papers.

That on May 20, 2014, I served an electronic copy of the above and foregoing **UNOPPOSED MOTION TO WITHDRAW THE MOTION TO SUPPRESS (CR # 34) WITHOUT PREJUDICE** by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
AMBER M. CRAIG
Assistant United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, Nevada 89101

/s/ Karen Meyer
Employee of the Federal Public Defender